

**UNITED STATES BANKRUPTCY COURT
NORTHERN DISTRICT OF ILLINOIS EASTERN DIVISION**

In Re:)	19-03167
)	
VICTORIA GRAFF & BRADFORD MAHAN,)	Chapter 13
)	
Debtors.)	Hon. Judge: CLEARY

NOTICE OF MOTION

To the following persons or entities who have been served via electronic mail:

U.S. Bankruptcy Trustee: USTPRegion11.ES.ECF@usdoj.gov

Marilyn O. Marshall, Chapter 13 Trustee: courtdocs@chi13.com

To the following persons or entities who have been served via U.S. Mail:

See attached list.

PLEASE TAKE NOTICE that on **May 24, 2021, 2020**, at **1:30 P.M.**, I will appear before the Honorable Judge **CLEARY**, or any judge sitting in that judge's place, and present the **Motion to Modify Chapter 13 Plan**, a copy of which is attached.

This motion will be presented and heard electronically using Zoom for Government. No personal appearance in court is necessary or permitted. To appear and be heard on the motion, you must do the following:

To appear by video, use this link: <https://www.zoomgov.com/>. Then enter the meeting ID and password.

To appear by telephone, call Zoom for Government at 1-669-254-5252 or 1-646-828- 7666. Then enter the meeting ID and password.

Meeting ID and password. The meeting ID for this hearing is **161 122 6457** and the password is **Cleary644**. The meeting ID and password can also be found on the judge's page on the court's web site.

If you object to this motion and want it called on the presentment date above, you must file a Notice of Objection no later than two (2) business days before that date. If a Notice of Objection is timely filed, the motion will be called on the presentment date. If no Notice of Objection is timely filed, the court may grant the motion in advance without a hearing.

PROOF OF SERVICE

The undersigned certifies that copies of this Notice and attachments were served to the listed persons or entities, if service by mail was indicated above, by depositing same in the U.S. Mail at

Wheeling, Illinois 60090, on or before April 28, 2021, at 5:30 p.m., with proper postage prepaid, unless a copy was provided electronically by the Bankruptcy Court.

DATE OF SERVICE: April 28, 2021

/s/ Robert C. Bansfield Jr.

Robert C. Bansfield Jr., A.R.D.C. #6329415

Attorney for the Debtor(s)
DAVID M. SIEGEL & ASSOCIATES
790 Chaddick Drive
Wheeling, IL 60090
(847) 520-8100
rbansfield@davidmsiegel.com

To the following persons or entities who have been served via U.S. Mail:

Victoria Graff & Bradford Mahan
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Carpentersville, IL 60110

CEP America Illinois LLP
Wakefield and Associates
PO Box 50250
Knoxville, TN 37950-0250

Illinois Tollway
PO Box 5544
Chicago, IL 60680

Exeter Finance LLC
c/o AIS Portfolio Services, LP
4515 N Santa Fe Ave. Dept. APS
Oklahoma City, OK 73118

T Mobile/T-Mobile USA Inc.
by American InfoSource as agent
4515 N Santa Fe Ave
Oklahoma City, OK 73118

Capital One Bank (USA), N.A.
4515 N Santa Fe Ave
Oklahoma City, OK 73118

Ginny's
c/o Creditors Bankruptcy Service
PO Box 800849
Dallas, TX 75380

JD Receivables LLC
PO Box 382656
Germantown, TN 38183

Honor Finance
C/O Westlake Portfolio Management
4751 Wilshire Blvd., Suite 100
Los Angeles, CA 90010

Nicor Gas
PO Box 549
Aurora, IL 60507

CreditBox.com, L.L.C.
P.O. Box 2447
Des Plaines, IL 60017

Jefferson Capital Systems LLC
Po Box 7999
Saint Cloud, MN 56302-9617

Pacocha Landscaping Services, Inc.
C/O A. Alliance Collection Agency, Inc.
PO Box 506
Richmond, IL 60071

**UNITED STATES BANKRUPTCY COURT
NORTHERN DISTRICT OF ILLINOIS EASTERN DIVISION**

In Re:)	19-03167
)	
VICTORIA GRAFF & BRADFORD MAHAN,)	
)	Chapter 13
)	
Debtors.)	Hon. Judge: CLEARY

MOTION TO MODIFY CHAPTER 13 PLAN

NOW COME the Debtors, **Victoria Graff and Bradford Mahan**, by and through their attorneys, David M. Siegel & Assoc., LLC, to present this Motion, and in support thereof states as follows:

- 1) This Court has jurisdiction pursuant to 28 U.S.C. § 1334 and Internal Operating Procedure 15(a) of the United States District Court for the Northern District of Illinois Eastern Division.
- 2) Debtors filed a petition for relief under Chapter 13 of Title 11 USC on February 6, 2019.
- 3) The current plan requires payments of \$450.00 per month for 60 months, with General Unsecured Creditors receiving not less than 12% of allowed claims.
- 4) Debtors are currently in default on their plan payments because Mrs. Graff's payroll department was not properly following the payroll deduction order from the Court.
- 5) The issue has been resolved with Mrs. Graff's payroll department and they are going to begin processing the payments correctly. Debtors also understand that they must monitor the payroll deductions and if a deduction is not properly made, they must send in their own payment.
- 6) Debtors are not able to cure their default but they are able to make their payment obligation.
- 7) Debtors seek to modify their plan under 11 U.S.C. § 1329, increase their monthly payment in order for their Chapter 13 plan to complete in 60 months, and repay the current default

over the remaining span of the plan. This will increase the monthly payment to \$600.00 per month.

- 8) The plan will complete within 60 months if the Debtors' motion is granted and unsecured creditors will still receive no less than 12% of their allowed claims.
- 9) Debtors will be able to afford the increase in their monthly payments by decreasing their costs on various expenses.
- 10) Debtors request the above relief without any intent to defraud their creditors.

WHEREFORE, the Debtors, **Victoria Graff and Bradford Mahan**, pray that this Honorable Court enter an Order to Modify the Chapter 13 Plan and for other such relief as the Court deems fair and proper.

Respectfully Submitted,

/s/ Robert C. Bansfield Jr.

Robert C. Bansfield Jr., A.R.D.C. #6329415
Attorney for the Debtors

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